

REMARKS/ARGUMENTS

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested.

Original claims 1 and 2 were rejected under 35 USC 103(a) as being obvious over Ogden. Applicant respectfully traverses this rejection.

As described in the specification, in particular at page 11, the primary spool is integrally molded with and out of the same injection molding epoxy resin as the coil insulating resin material 230. In other words, the primary spool is integrally molded with the coil insulating resin from the same resin so that the primary spool is not separately formed from the coil insulating resin material. Furthermore, and as a consequence, the secondary coil 23 and the primary spool 240 are molded into a single molded body by the insulating resin. More specifically, because the coil insulating resin also defines the primary spool, the secondary coil 23 and the primary spool are molded into a single body, thereby reducing the number of components and simplifying the ignition coil device structure. The feature of the high voltage tower has been relegated to dependent claim 6 which further characterizes the high voltage tower as also integrally molded with the primary spool from the coil insulating resin material, thus further uniquely characterizing the exemplary embodiment of the invention.

In contrast to the invention defined by claim 1, Ogden provides a separately formed case (primary spool) 22. Moreover, Ogden teaches different resin materials for the potting material (insulating layer) 24 and the primary spool/case 22. Even if the same material were used for both the insulating layer 24 and primary spool 22 of Ogden, because there is no disclosure in Ogden of concurrently forming the potting material and case, the result would not necessarily result in an integral body.

The Examiner's suggestion that it would have been "obvious" to integrally form the case and potting material, citing Howard v. Detroit Stove Works, is not well taken. The Howard v. Detroit Stove Works case held that it was not novel or inventive to cast in one piece a stove grate that had formally been cast in two pieces and put together. As such, it is respectfully submitted that the Howard v. Detroit Stove Works case does not support the view taken by the Examiner, that it would have been "obvious" to integrally form a coil insulating resin material and a primary spool. Indeed, in contrast to the facts of the Howard v. Detroit Stove Works case, the coil insulating resin material and the primary spool do not constitute an single component, as a grate, which was formed into two pieces and put together. The coil insulating resin material and the primary coil have historically been distinct components of an ignition coil device structure. Indeed, the recited invention relates to a materially different concept wherein two distinct components having respective functions in the ignition coil device have been provided as a single integrated component providing the functions of each of the components previously provided. There is no teaching or suggestion whatsoever in Ogden of forming the insulating layer and the primary spool of the same material, much less at the same time so as to provide an integral molded, integrated structure.

It is clear that the initial burden of establishing a basis for denying patentability to a claimed invention rests upon the Examiner. In re Piasecki, 745 F. 2d 1468, 223 USPQ 785 (Fed. Cir. 1984). In establishing a *prima facie* case of obviousness under 35 U.S.C. § 103, it is incumbent upon the Examiner to provide a reason why one of ordinary skill in the art would have been led to arrive at the claimed invention from the prior art. Ex parte Clapp, 227 USPQ 972 (BPAI 1985).

Indeed, rejections based on 35 USC §103 must rest on a factual basis with these facts being interpreted without hindsight reconstruction of the invention from the prior art. The Examiner has initial duty of supplying the factual basis for the rejection. The Examiner may not resort to speculation, unfounded assumption or hindsight

reconstruction to supply deficiencies in the factual basis. See In re Wanery, 379 F.2d 1011, 1017, 154 USPQ 173, 177-78 (CCPA 1967).

Because Ogden does not teach a coil insulating resin material that defines the primary spool, nor a secondary coil integrated with a primary spool as a single body, particularly as a consequence of the coil insulating resin material defining the primary spool out of the same resin, it is respectfully submitted that Ogden does not anticipate nor render obvious the claimed invention.

Because none of the references of record discloses the details of the claimed invention lacking in the Ogden reference, nor the unique advantages thereof, there can be no suggestion to modify the Ogden structure to contain those features. See In re Civitello, 339 F.2d 243, 144 USPQ 10, (CCPA 1964).

For all the foregoing reasons it is respectfully submitted that it would be unobvious from the prior art of record to modify Ogden as the Examiner suggests. It is further respectfully submitted that the claimed invention is not only different from Ogden, but provides significant advantages thereover in that the manufacture of the ignition coil device structure is simplified, the number of components is reduced and the structure itself is also simplified.

With regard to claim 6, it is respectfully submitted that the invention is even further distinguished from Ogden in that the high voltage tower arranged on one end of the primary spool is also integrally formed with the primary spool from the coil insulating resin material. The primary art of record completely fails to teach or suggest the unique and advantageous combination claimed in claim 6 as well.

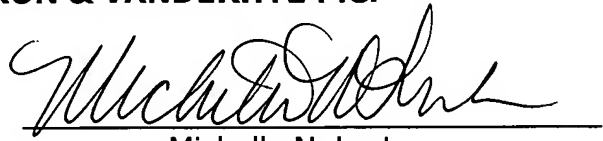
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All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and an early Notice to that effect is earnestly solicited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:

A handwritten signature in black ink, appearing to read "Michelle N. Lester", written over a horizontal line.

Michelle N. Lester
Reg. No. 32,331

MNL:slj
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100